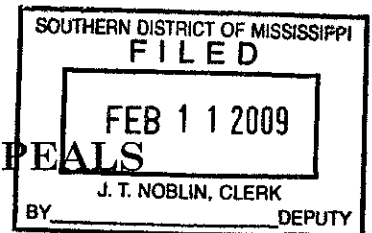


IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT



No. 08-61037
USDC No. 3:07-CV-243

U.S. COURT OF APPEALS
FILED

FEB 4 2009

CHARLES R. FULBRUGE JR.
CLERK

IN RE: WILLIS K JONES

Petitioner

Petition for a Writ of Mandamus
to the United States District Court
for the Southern District of Mississippi

Before JOLLY, DAVIS, and DeMOSS, Circuit Judges.

PER CURIAM:

Willis K. Jones, Mississippi prisoner # 59663, has filed in this court a pro se petition for a writ of mandamus and a motion requesting leave to file his mandamus petition in forma pauperis (IFP). The motion for leave to proceed IFP is GRANTED.

Jones has requested that we order the district court judge to rule on his postjudgment motion filed under FED. R. CIV. P. 59(e) and FED. R. CIV. P. 52(b) in his 28 U.S.C. § 2254 petition. The district court has now ruled on that motion in an order entered January 5, 2009, and Jones has filed a notice of appeal. His request for mandamus relief is moot.

Accordingly, the petition for a writ of mandamus is DENIED.

A true copy
Attest:

04 FEB 2009

Clerk, U. S. Court of Appeals for the Fifth Circuit

By Nantrell Johnson
Deputy
New Orleans, Louisiana